

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

CAROL LYNNE GOERNER,

Petitioner,

v.

SECRETARY OF HEALTH
AND HUMAN SERVICES,

Respondent.

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No. 11-584V

Special Master Christian J. Moran

Filed: January 29, 2013

Attorneys' fees and costs; award in
the amount to which respondent has
not objected.

UNPUBLISHED DECISION ON FEES AND COSTS¹

Stuart D. Mann, Mann & Maximon, LLC, Boulder, CO, for Petitioner;
Lara A. Englund, U.S. Department of Justice, Washington, D.C., for Respondent.

Petitioner Carol Lynne Goerner filed an application for attorneys' fees and costs on September 13, 2012. Respondent raised objections to certain items in petitioner's application. Following informal discussions, petitioner amended her request. On January 25, 2013, respondent filed a stipulation of fact regarding petitioner's fees request. The court awards the amount to which respondent does not object.

Ms. Goerner claimed that the trivalent influenza flu vaccine she received caused her to develop transverse myelitis. Ms. Goerner received compensation based upon the parties' stipulation. Decision, filed June 25, 2012. Because Ms. Goerner received compensation, she is entitled to an award of attorneys' fees and costs. 42 U.S.C. § 300aa-15(e).

Ms. Goerner seeks a total of **\$26,331.99** in attorneys' fees and costs for her counsel, Stuart D. Mann. Additionally, in compliance with General Order No. 9, petitioner states that she advanced no monies in reimbursable costs in pursuit of her claim. Respondent does not object to this amended request for attorneys' fees and costs.

¹ The E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002), requires that the Court post this decision on its website. Pursuant to Vaccine Rule 18(b), the parties have 14 days to file a motion proposing redaction of medical information or other information described in 42 U.S.C. § 300aa-12(d)(4). Any redactions ordered by the special master will appear in the document posted on the website.

After reviewing the request, the court awards a check made payable to petitioner and petitioner's attorney in the amount of **\$26,331.99** for attorneys' fees and litigation costs. The court thanks the parties for their cooperative efforts in resolving this matter.

The Clerk shall enter judgment accordingly.²

IT IS SO ORDERED.

S/ Christian J. Moran
Christian J. Moran
Special Master

² Pursuant to Vaccine Rule 11(a), the parties can expedite entry of judgment by each party filing a notice renouncing the right to seek review by a United States Court of Federal Claims judge.